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Situation of human rights in the Islamic Republic of Iran

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed, submitted in accordance with Human Rights Council resolution 25/24.

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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

Summary

The Special Rapporteur submits the present report pursuant to Human Rights Council resolution 25/24. He presents developments in the situation of human rights in the Islamic Republic of Iran since the submission of his previous report (A/68/503) in October 2013. Although the report is not exhaustive, it provides a picture of the prevailing situation as observed in the preponderance of reports submitted to and examined by the Special Rapporteur.

I. Introduction

1. The human rights situation in the Islamic Republic of Iran remains of concern. Numerous issues flagged by the General Assembly, the United Nations human rights mechanisms and the Secretary-General persist, and in some cases appear to have worsened, some recent overtures made by the Administration and the parliament notwithstanding. Those made by the latter include amendments to the Islamic Penal Code and the Criminal Procedure Code, elements of the charter of citizens' rights proposed by the Administration in September 2013 and the country's recent ratification of an additional International Labour Organization convention.

2. Various laws, policies and institutional practices continue to undermine the conditions needed for the realization of the fundamental rights guaranteed by international and national law. Some draft laws also appear to further undermine the rights to freedom of expression and association and markedly compound discrimination against women by further eroding their protection from forced marriage and rights to education, work and equal wages.

3. In 2013, the Islamic Republic of Iran submitted periodic national reports to the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities, demonstrating some cooperation with human rights mechanisms. Cooperation remains elusive, however. The Government has responded to 40 of the 69 communications sent by thematic special procedures mandate holders and the country-specific mandate holder on a number of cases and developments, including requests regarding the impact of economic sanctions, and six requests for visits to the country, most recently in January 2014. The Special Rapporteur is, however, encouraged by recent attempts by officials to enter into dialogue with him and the international community and looks forward to opportunities for collaboration.

4. Six press statements have been issued by the Special Rapporteur since October 2013, five of which were joined by other special procedures mandate holders, on concerns relating to, among other things, the application of capital punishment, political prisoners and discrimination against women and members of ethnic minority groups.

5. Between 1 January and 30 June 2014, interviews were conducted with 118 individuals: 22 were located in the Islamic Republic of Iran, 54 were located in Turkey and 42 were interviewed during a fact-finding mission to Sweden, Austria and Italy from May to June 2014. In preparing the present report, the Special Rapporteur examined existing laws, draft legislation, government statements and reports, reports from civil society, news reports emanating from inside and outside the country and the Government's reply to a draft of the present report.

II. Civil and political rights

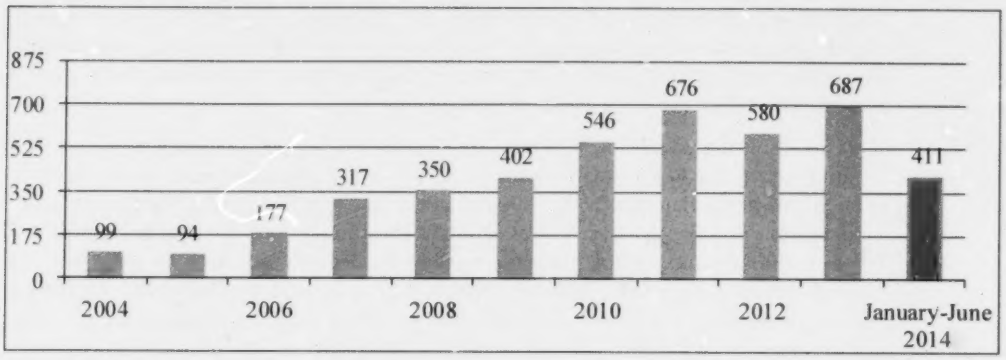
A. Right to life

6. In 2010, the Government accepted three recommendations relating to the death penalty made during the consideration of the country by the Working Group on the Universal Periodic Review: to reconsider the inclusion of apostasy, witchcraft and heresy as capital offences; to consider the abolition of juvenile execution; and to

respect the minimum standards and provisions set out in the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child concerning the death penalty (see A/HRC/14/12).

7. Between July 2013 and June 2014, at least 852 individuals were reportedly executed (see figure I),[1] representing an alarming increase in the number of executions in relation to the already-high rates of previous years. The Government also continues to execute juvenile offenders. In 2014 alone, eight individuals believed to be under 18 years of age at the time of their alleged crimes were reportedly executed.[2]

Figure I
Executions in the Islamic Republic of Iran, 2004-June 2014



8. The new Islamic Penal Code that entered into force in 2013 now omits references to apostasy, witchcraft and heresy, but continues to allow for juvenile executions and retains the death penalty for activities that do not constitute "most serious crimes" in line with the safeguards guaranteeing protection of the rights of those facing the death penalty (see Economic and Social Council resolution 1984/50). They include adultery, recidivist alcohol use, drug possession and trafficking and some crimes resulting in convictions for *moharebeh* (commonly translated as "enmity against God", but translated by the Government as a crime in which "a person brandishes or points a weapon at members of the public to kill, frighten and coerce them") or *mofsed fel-arz* (corruption on Earth).

9. The execution of individuals for exercising their protected rights, including of freedom of expression and association, is deeply troubling. Members of ethnic minority groups, in particular those espousing ethnocultural, linguistic or minority religious rights, appear to be disproportionately charged with *moharebeh* and *mofsed fel-arz*, sometimes seemingly for exercising their rights to peaceful expression and association.

10. Four cultural rights activists from the Arab minority community, Hashem Sha`abani, Hadi Rasehdi, Ali Chebeishat and Khaled Mousavi, were executed in

[1] Iran Human Rights, "Annual report on the death penalty in Iran 2013". Available from http://iranhr.net/wp-content/uploads/2014/03/Rapport-iran-2014-GB-030314-bd-e.pdf.

[2] Amnesty International, "Iran: youth at risk of hanging amid disturbing rise in juvenile executions", 15 July 2014. Available from www.amnesty.org/en/news/iran-youth-risk-hanging-amid-disturbing-rise-juvenile-executions-2014-07-15.

2014. The executions of several Sunni Kurdish activists, including Jamshid Dehgani, Jahanghir Dehgani, Hamed Ahmadi and Kamal Mollaei, are also reportedly imminent.

11. The possible imminent executions of Reyhaneh Jabbari and Razieh Ebrahimi are also of concern. Both women were convicted of murdering men who they allege physically and/or sexually assaulted them before or during the incidents in question. The Special Rapporteur reiterates his previous call, issued jointly with other special procedures mandate holders and reiterated by the United Nations High Commissioner for Human Rights, to stay the executions officially.[3]

12. In its response to the present report, the Government maintained that due consideration should be given to the country's geographical location on a drug trafficking route when discouraging its use of capital punishment. It also denied allegations that ethnicity plays a role in the administration of justice, claiming that the aforementioned Kurds and Arabs who were executed had been found to have stockpiled weapons and carried out violent attacks. The Government also refuted reports that several juveniles had been executed for drug-related offences, stating that only minors charged with intentional homicide are subject to capital sentences and that a reconciliation commission attempts to dissuade victims' families from seeking *qesas* (retaliatory execution) whenever possible.

B. Independence of judges and fair trial standards

13. Concerns at the excessive use of capital punishment are compounded by the frequency of reports alleging violations of national and international fair trial standards. In its response to the Special Rapporteur's concern about the independence of the judiciary, the Government maintained that national laws safeguarded the independence and impartiality of the judiciary and that supervisory organs ensured compliance.[4]

14. Nevertheless, several government officials have recently noted the apparent undue influence of the security apparatus on the judiciary. In February 2014, for example, the Special Assistant to the President for Ethnic and Religious Minority Affairs, a parliamentarian from Tehran, maintained the importance of cooperation between other branches of government and judicial officers in the administration of justice, but underscored that "we have witnessed the security apparatus, from the position of strength, putting the judge under pressure to steer the trial in the direction that they want".

C. Freedom from torture or cruel, inhuman or degrading treatment or punishment

1. Torture

15. During the consideration of the country by the Working Group on the Universal Periodic Review in 2010, the Government accepted nine recommendations on prohibiting and investigating torture or other cruel, inhuman or

[3] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14509&LangID=E.

[4] See http://shaheedoniran.org/wp-content/uploads/2014/03/IRI-Response-to-2014-HRC-Draft-Report.pdf.

degrading treatment or punishment. They included establishing effective complaint mechanisms and taking measures to ensure the prevention of such violations in the future (see A/HRC/14/12).

16. Continuing reports regarding the use of psychological and physical torture to solicit confessions indicate the widespread and systematic use of such practices. Of the 24 Iranian refugees in Turkey who provided testimony for the present report, 20 reported torture and ill-treatment and 16 psychological abuse, such as prolonged solitary confinement, mock executions and the threat of rape, along with physical abuse, including severe beatings, use of suspension and pressure positions, electroshock and burnings. Reports of amputation and corporal punishment (e.g. flogging), which are considered incompatible with article 7 of the International Covenant on Civil and Political Rights, were also received.

17. The Government responded to the above allegations by recalling the legal and institutional safeguards against torture. It noted its investigation and adjudication of allegations of torture in 2009 and maintained that the number of complaints had dropped considerably since steps were recently taken to enforce the law. The Special Rapporteur looks forward to receiving and examining any statistical information that the Government can provide that may further elucidate the number of complaints received annually and the rate of prosecution and conviction of alleged perpetrators. Allegations regarding the use of torture to extract confessions that are then used as evidence in trials were not addressed in the Government's reply, but the Special Rapporteur looks forward to opportunities to engage on the matter further.

2. Domestic violence

18. Some 66 per cent of Iranian women have reportedly experienced domestic violence.[5] The legislative framework remains insufficient to combat such violence. In addition, inadequate social service provisions challenge the State's ability to provide safety and redress for victims.

19. For example, laws continue to explicitly allow for non-consensual sexual relations in marriage. There are insufficient safe houses for women in need of refuge. A woman wishing to leave an abusive situation must also first prove that there is a significant risk of bodily harm or a threat to her life and safety in order to reside apart from her husband. Likewise, under the Civil Code, women seeking to obtain a divorce as a result of domestic violence must first prove that the abuse was intolerable (*osr va-haraj*).

20. In response to the above, the Government maintained that domestic violence was a capital offence and noted that draft legislation to legally define all forms of domestic violence was currently being considered.

D. Freedom of expression and the right to information

21. The Islamic Republic of Iran accepted 13 recommendations regarding freedom of opinion and expression during its consideration by the Working Group on the Universal Periodic Review in 2010. They included recommendations to amend laws

[5] "Warning on rise in domestic violence", Payvand Iran News, 30 August 2009. Available from www.payvand.com/news/09/aug/1264.html.

to uphold the internationally guaranteed rights of free speech and a free press and to guarantee the protection of civil and political rights for all, in particular dissidents and members of minority groups (see A/HRC/14/12). The Human Rights Committee also expressed concern regarding freedom of expression, monitoring of Internet use and content, blocking of websites carrying political news and analysis, slowing down of Internet speeds and jamming of foreign satellite broadcasts by the Government (see CCPR/C/IRN/CO/3, para. 27).

22. Recently, several high-ranking government officials have made public statements in support of increased press freedom. They called for a relaxation of censorship in favour of an environment wherein healthy criticism would be tolerated and encouraged.[6] Nevertheless, laws and policies continue to place overly broad restrictions on the rights to freedom of expression and access to information. The Press Law (1986) continues to restrict content that is prejudicial to Islamic codes or that might damage the "foundation" of the Islamic Republic, offend government officials or religious figures or undermine the Government's definition of decency.

23. In its response, the Government maintained that the Press Law outlawed only "criminal" activity and that, while a few journalists had been detained, thousands of others were freely practising their profession.

24. At least 35 journalists are currently in detention in the country. Reports continue to allege harassment, interrogations and surveillance of many others.[7] On 10 November 2013, two journalists, Masoud Kordpour and Khosro Kordpour, were convicted of "gathering and colluding against national security" and "spreading propaganda against the system" for such journalistic activities as conducting interviews with the foreign media about the situation of human rights in Kordestan Province.[8] They were sentenced to terms of imprisonment of six and three and a half years, respectively, at a trial that allegedly failed to meet fair trial standards. In November 2013, the Working Group on Arbitrary Detention classified the detention of the brothers as arbitrary and called for their unconditional release. A group of special procedures mandate holders also raised this concern with the Government through a communication.

25. Between June and August 2014 alone, several journalists, including Saba Azarpeik, Mehdi Khalazi, Mashallah Shamsolvaezin, Jason Rezaian and Yeganeh Salehi, were arrested and three others, Reyhaneh Tabatabaei, Mahnaz Mohammadi and Marzieh Rasoulis, were summoned to begin serving prison sentences.[9] Several others, including Seraj Miramadi, Farideh Shahgholi and Hossein Nourani Nejad, received new prison sentences during the period.

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[6] "Iran's Rouhani defends 'freedom of press with responsibility'", *Daily Times*, 9 March 2014. Available from www.dailytimes.com.pk/region/09-Mar-2014/iran-s-rouhani-defends-freedom-of-press-with-responsibility.

[7] Committee to Protect Journalists, "Iran, Syria, and Somalia top countries that journalists flee", 18 June 2014. Available from http://cpj.org/2014/06/iran-syria-and-somalia-top-countries-that-journali.php.

[8] Amnesty International, "Iran: jailed journalist brothers sentenced", 13 December 2013. Available from www.amnesty.org/en/library/asset/MDE13/056/2013/en/3d14e2eb-d511-44e6-9bd2-0f8e1f75c592/mde130562013en.html.

[9] Committee to Protect Journalists, "The 2009 Iran crackdown continues today", 8 July 2014. Available from http://cpj.org/blog/2014/07/the-2009-iran-crackdown-continues-today.php.

26. The managers of the company that owns the website Narenji, Ali Asghar Honarmand, Abbas Vahedi, Alireza Vaziri, Nassim Nikmehr, Maliheh Naghaei, Mohammad Hossein Mousazadeh and Sara Sajadpour, were sentenced in December 2013.[10] It was maintained that they were involved with foreign media networks and intelligence agencies, including BBC Persian and MI6. On 20 June 2014, officials announced sentences of between 1 and 11 years of imprisonment for 11 other individuals for allegedly "designing sites, websites and creating content for media hostile to the regime".[11]

27. Recent cases regarding several other Internet users underscore a pattern of continuing general repression of freedom of expression and, in some cases, freedom of movement. In May 2014, eight Facebook commenters were sentenced to a combined 123 years in prison for blasphemy, insulting the Supreme Leader and spreading propaganda against the system, among other charges, for criticizing government policies, supporting political protests and participating in social satire and other alleged activities on Facebook.[12] For example, a dual British-Iranian citizen, Roya Nobakht, was reportedly arrested at the airport when she arrived in the Islamic Republic of Iran to visit family after posting comments about the Government on Facebook while living in the United Kingdom of Great Britain and Northern Ireland. She was sentenced, along with Mir Golestani, to 20 years in prison.[13]

28. A journalist who had been in self-imposed exile from the Islamic Republic of Iran since 2009, Seraj Mirdamadi, returned to the country at the time of the inauguration of Hassan Rouhani as President in 2013. He was detained, questioned and accused of working for opposition media groups. On 10 May 2014, he was arrested after responding to a court summons. He was not allowed a family visit for six weeks. The authorities have imposed a travel ban on him while he awaits trial.[14]

29. Several journalists, Mohammad Sedigh Kaboudvand, Saeed Matinpour, Omid Behroozi, Hossein Ronaghi Maleki, Siamak Ghaderi and Saeed Haeri, were reportedly beaten by authorities in Evin prison ward 350 on 17 April 2014.[15] The Special Rapporteur is particularly concerned about individuals who reportedly require medical attention, including, but not limited to, Hossein Ronaghi Maleki,

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[10] International Campaign for Human Rights in Iran, "Judiciary official urges 'maximum punishment' for detained IT professionals even before trial", 8 January 2014. Available from www.iranhumanrights.org/2014/01/it-punishment/.

[11] International Campaign for Human Rights in Iran, "Eleven Internet professionals sentenced to one to eleven years in prison", 20 June 2014. Available from www.iranhumanrights.org/2014/06/cyber-activists/. See also Mahsa Alimardani and Fred Petrossian, "Hope and disillusionment in Iran as internet censorship persists and bloggers jailed", 25 June 2014. Available from www.globalpost.com/dispatches/globalpost-blogs/commentary/internet-censorship-jailed-bloggers-Iran.

[12] Saeed Kamali Dehghan, "Briton among eight jailed in Iran for web insults", *Guardian*, 27 May 2014. Available from www.theguardian.com/world/2014/may/27/briton-eight-jailed-iran-web-insults-facebook.

[13] Lorenzo Franceschi-Bicchierai, "Iran sentences 8 Facebook users to combined 123 years in jail", 28 May 2014. Available from http://mashable.com/2014/05/28/iran-jails-8-facebook-users/.

[14] Committee to Protect Journalists, "Rouhani has yet to deliver on press reforms in Iran", 13 March 2014. Available from http://cpj.org/blog/2014/03/hope-of-reform-in-iran-dwindles-as-rouhani-steps-u.php.

[15] Committee to Protect Journalists, "Seven journalists among those beaten in Iran's Evin prison", 18 April 2014. Available from http://cpj.org/2014/04/seven-journalists-among-those-beaten-in-irans-evin-p.php.

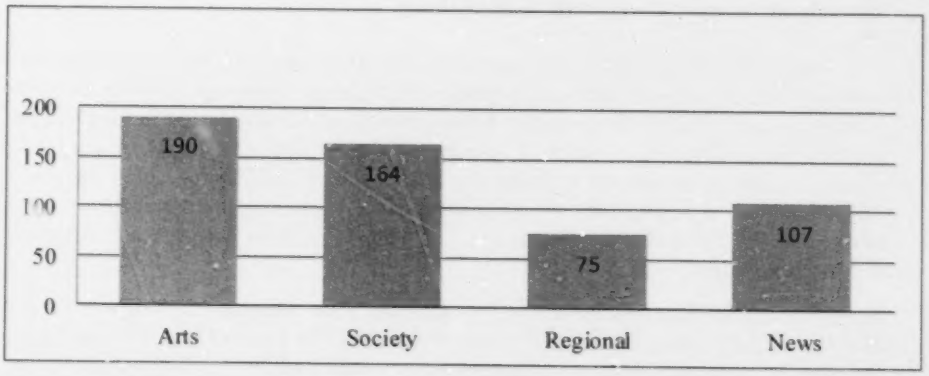
Kavyan Samimi, Mohammad Reza Pourjashari[16] and Mohammad Sedigh Kaboudvand.[17]

30. In February 2014, a parliamentarian and member of the Press Supervisory Board, Ali Motahari, criticized the judiciary's decision to close down the *Aseman* newspaper before the Board was able to review the case. On 8 March 2014, a court ordered the closure of the *Bahar* newspaper for another six months, following its original closure in November 2013, for allegedly insulting Islam and spreading propaganda against the system.

31. Iranian officials have made public statements in which they referred to impending Internet infrastructure improvements that would yield higher speeds for users by September 2015. Moreover, the country's fifth five-year development plan proposes measures to establish a national Internet in an effort to increase speed by investing in national infrastructure and webhosting.[18]

32. Severe content restrictions, intimidation and prosecution of Internet users and limitations on Internet access through throttling and filtering persist, however. Some 5 million websites remain blocked. The top 500 blocked websites include many dedicated to the arts, social issues, news and those ranked in the top tiers of popularity nationally (see A/68/503 and figure II). In its response to the draft report, the Government noted that it "(like many countries) blocks all immoral websites in the arts or social groups".

Figure II
Number of blocked websites in key categories



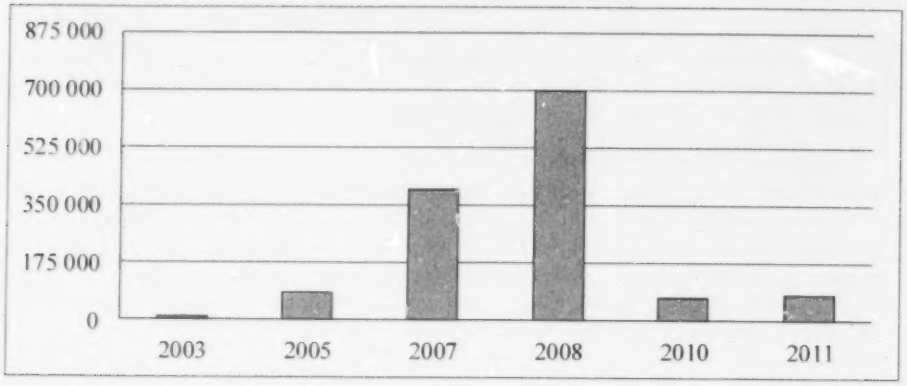
33. Two blog hosting platforms, WordPress and Blogspot, are 96 and 98 per cent filtered, respectively.[19] Social media websites such as Facebook, Twitter, Instagram and the popular messaging application WeChat are, according to ASL19, also blocked. The authorities have alleged that there is a link between rates of divorce

[16] See www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=14492&LangID=E.
[17] Interview with a source close to the case, May 2014.
[18] Small Media, "Iranian internet infrastructure and policy report" (October 2013), p. 3. Available from http://smallmedia.org.uk/sites/default/files/u8/IIIPSepOct.pdf.
[19] Laurent Giacobino and others, "Whither Blogestan: evaluating shifts in Persian cyberspace" (March 2014). Available from www.iranmediaresearch.org/en/system/files/2014_whither_blogestan.pdf.

and increased use of WeChat and other messaging applications. The number of Persian-language blogs has been declined significantly since 2008 (see figure III).

34. Lastly, budgetary allocations for the implementation of information technology and national security tasks by the Ministry of Intelligence and Security were increased by 87 per cent for the 2014/15 fiscal year, raising concerns regarding potential increased censorship. The details of the plan are not yet clear, however.

Figure III
Number of Persian-language blogs per year (2011 approximate)



E. Freedom of assembly and association

35. More than 10 student groups (*anjoman*) in various universities whose activities were previously suspended were permitted to resume operations during the past year.[20] At least 10 additional student groups also received permission to function for the first time. Concern remains, however, over the continued denial of access to education for some students. Between March 2013 and March 2014, at least 28 students were arrested by security forces and eight student publications were suspended by the university authorities. At least 11 student activists are currently serving prison sentences.

36. At least 58 Kurdish human rights activists were summoned to offices of the Ministry of Intelligence and Security between August 2013 and May 2014. The figure includes 30 labour activists, 21 of whom were summoned by the Intelligence Office in Sanandaj and the Governor of the city of Saqqez between 28 April and 1 May 2014, in relation to their participation in International Workers' Day on 1 May. Saqqez officials had allegedly suggested to some local labour activists that they should participate in the Government's official events instead of holding separate events.[21]

37. Some elements of the bill on supervising the establishment and activities of non-governmental organizations remain problematic. The bill defines and regulates the activities of non-governmental organizations and increases government

[20] According to a report submitted to the Special Rapporteur on 30 June 2014, student groups have resumed their activities at the Isfahan University of Technology, the Sahand University of Technology and Kashan, Zanjan, Hormozgan, Sistan, Kerman, Birjand and Yasouj universities.

[21] This information was obtained from a report submitted to the Special Rapporteur on 28 May 2014.

supervision. Some officials have proposed to withdraw it. The authorities have also recently discussed attempts to reduce restrictions imposed on non-governmental organizations, including the lengthy registration process for associations.

38. A bill on the activities of political parties was made publicly available on 8 January 2014. It prohibits parties from activities until they obtain two permits from a five-member commission comprising members of the parliament and the offices of the Attorney General, the judiciary and the Ministry of the Interior. The commission would have three months to respond to appeals against rejected applications.

39. The bill requires applicants to submit, among other things, details of their world view, ideals and general views about cultural, economic, social, political, administrative and legal issues in the country. Applicants would also be required to explicitly state their adherence to the Constitution and the principle of the guardianship of the Islamic jurist in their manifestos and statutes. Party representatives would also need to inform the Ministry of the Interior at least 72 hours before any gatherings or demonstrations.

F. Early and forced marriage

40. The legal age of marriage for girls in the country is 13 years, but girls as young as 9 years of age may be married with permission from a court. In 2002, the Guardian Council rejected legislative attempts to increase the minimum age to 15 years. In 2013, a legislative attempt to declare the marriage of a custodian to his adopted daughter illegal was also voided by the Council (see A/68/503). The amended text of the relevant law now in effect recognizes the legitimacy of such a marriage provided that a competent court considers it to be in the best interest of the child (art. 27).

41. At least 48,580 girls between 10 and 14 years of age were married in 2011, 48,567 of whom were reported to have had at least one child before they reached 15 years of age. Some 40,635 marriages of girls under 15 years of age were also registered between March 2012 and March 2013, of which more than 8,000 involved men who were at least 10 years older. Furthermore, at least 1,537 marriages of girls under 10 years of age were registered in 2012, which is a significant increase compared with the 716 registered between March 2010 and March 2011.[22] The number of registered divorces for girls under 15 years of age has also consistently increased since 2010. The Government responded to the foregoing by stating that the law prohibits forced marriage, meaning that all marriages in the country are consensual.

G. Freedom of religion

42. The Government accepted nine recommendations regarding religious rights during the consideration of the country by the Working Group on the Universal Periodic Review, including commitments to upholding freedom of belief and religion, extending protection to all religious groups, combating incitement to religious hatred and amending all legislation that discriminates against minority groups (see A/HRC/14/12). No progress in this regard has been observed, however.

[22] See www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage/NGO/JusticeForIran.pdf.

As at June 2014, at least 300 minority religious practitioners were reportedly imprisoned, including three active members of the Yarsan faith, in addition to members of newer spiritual movements.[23]

1. Baha'is

43. At least 126 Baha'is were held in detention as at August 2014. Reports referred to insufficient fair trial safeguards, including inadequate access to legal counsel. Several interviewees also maintained that lawyers often declined to take their cases owing to fear of reprisals. The Baha'i International Community and Iranian Evangelical Christian leaders added that many of the lawyers who had accepted sensitive Baha'i or Christian cases had been imprisoned or had to flee the country.

44. The destruction or closure of religious sites such as cemeteries, prayer centres and churches continues. In May 2014, officers from the Islamic Revolutionary Guard Corps demolished a Baha'i cemetery in Shiraz, the appeals from the community and rights groups notwithstanding.[24] Furthermore, at least 900 online articles that perpetuate xenophobic beliefs or depict the Baha'i faith as politically subversive were published between January and May 2014.[25]

45. In December 2013, a documentary aired on national television alleged that the Baha'i community was closely connected to foreign Governments and former Governments of the Islamic Republic of Iran. Other interviews, reportedly broadcast in May 2014, alleged that Baha'is were spies. In June 2014, anti-Baha'i leaflets were reportedly distributed in the city of Yazd, claiming that the blood of Baha'is was worthless, and slogans calling for death to Baha'ism were allegedly spray-painted on walls in the city.[26]

46. The Government maintained that the "negative record and sectarian advertising" of the Baha'i community "have caused hatred of large segments of society against them, but that citizenship rights of those who do not stimulate missionary activities are respected". It denies the incident cited above.

2. Christians

47. At least 49 Protestant Christians are currently detained, many for involvement in informal house churches. In April 2014, security forces reportedly raided an Easter service in a private home in southern Tehran and detained six individuals: Ehsan Sadeghi, Nazy Irani, Maryam Assadi, Ali Arfa'e, Vahid Safi and Amin Mazloomi.[27] During the past two to three years, the authorities have increasingly

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[23] According to information submitted to the Special Rapporteur.

[24] "Shiraz cemetery demolition continues by the Revolutionary Guards", Baha'i World News Service, 8 May 2014. Available from http://news.bahai.org/story/994. See also Human Rights Watch, "Iran: mounting pressure on Baha'is", 20 May 2014. Available from www.hrw.org/news/2014/05/19/iran-mounting-pressure-baha.

[25] According to research submitted to the Special Rapporteur by the Baha'i International Community in July 2014.

[26] "Threatening anti-Baha'i posters distributed in Yazd, Iran", Baha'i World News Service, 18 June 2014. Available from http://news.bahai.org/story/1010.

[27] "Uncertain fate of six Christian detainees in southern Tehran", Iranian Christian News Agency, 24 May 2014. Available from www.mohabatnews.com/index.php?option=com_content&view=article&id=8673:uncertain-fate-of-six-christian-detainees-in-southern-tehran-&catid=36:iranian-christians.

closed officially licensed churches and arrested their pastors for holding services in Persian or for allegedly ministering to Iranians from Muslim backgrounds. The authorities regularly block Christian community websites.[28]

48. Christian converts continue to report that they were sometimes subjected to physical and intense psychological abuse, including threats of execution, while in detention. In April 2014, intelligence officers reportedly beat an imprisoned church leader, Farshid Fathi, requiring him to be hospitalized.[29]

3. Sufi or Dervish Muslims

49. At least nine Sufi or Dervish Muslims are currently detained. Restrictions on the right to association and peaceful assembly for Sufis extend beyond purely religious gatherings. For example, the security forces arrested 326 members of the Gonabadi Sufi order who gathered outside a courtroom in Tehran in March 2014. They were reportedly protesting against the inadequate medical attention offered to three imprisoned members of the community, Mostafa Daneshjoo, Hamidreza Moradi and Farshid Karampour, and the punitive transfer of two other Sufis from Evin prison to Rajaee Shahr prison.[30] Peaceful protests in support of imprisoned members of the Gonabadi community were apparently attacked by the police in May 2014.

50. Incitement against Gonabadi Dervishes reportedly also continues. In June 2014, religious leaders allegedly described members of the Dervish community as infidels and Wahhabists.

4. Sunni Muslims

51. At least 150 Sunni Muslims are currently detained for reportedly organizing religious meetings and activities or after trials that allegedly often failed to meet international standards. Many have been charged with serious security offences.

52. According to sources wishing to remain anonymous, 15 Arabs who converted from Shia to Sunni Islam were sentenced to a one-year term of imprisonment on 21 February 2013. They were reportedly detained in an unknown location for 21 days after their arrests on 17 January 2012. They were allegedly interrogated, threatened and encouraged not to seek legal counsel. Sources maintain that the defendants' activities were solely religious, including organizing private group prayers, reading the Koran and Islamic jurisprudence in their homes and performing charity work. They were reportedly charged with spreading propaganda against the system by promoting Wahhabism and Salafism, holding group prayers, questioning the official religion of the country, producing and distributing deviant books, communicating with salafist and takfirist groups (groups accusing others of apostasy) and participating in the religious courses of salafist and takfirist elements. They were each sentenced to a term of imprisonment of one year by Branch 2 of the Revolutionary Court of Ahvaz and were summoned in April 2014 to serve their sentences.

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[28] Small Media, "Heretics: Iran's religious minorities", 30 May 2014. Available from http://smallmedia.org.uk/heretics/heretics.pdf.

[29] "Pastor Farshi Fathi transferred to hospital after being beaten in prison", Iranian Christian News Agency, 21 April 2014. Available from www.mohabatnews.com/index.php?option=com_content&view=article&id=8503:pastor-farshi-fathi-transferred-to-hospital-after-being-beaten-in-prison&catid=36:iranian-christians&Itemid=279.

[30] International Campaign for Human Rights in Iran, "Protesting Dervishes beaten and detained", 11 March 2014. Available from www.iranhumanrights.org/2014/03/dervishes-beaten-detained/.

53. The families of four Arab activists executed in 2014 have reportedly been prevented from performing proper burials and conducting mourning services for their loved ones in accordance with their religious beliefs and their internationally protected rights to express them.[31] Another family reported warnings and harassment by the authorities when, in accordance with Shia Islamic religious principles, they attempted to mourn the death of Sattar Beheshti, who died in detention in mysterious circumstances in 2012.[32]

III. Economic, social and cultural rights

54. During the consideration of the Islamic Republic of Iran in 2010 by the Working Group on the Universal Periodic Review, the Government accepted 7 recommendations relating to economic and social rights generally and another 13 relating to the rights to education and health (see A/HRC/14/12). The Committee on Economic, Social and Cultural Rights identified discriminatory laws and practices based on faith, and by-proxy ethnicity, as a primary impediment to the fulfilment of economic and social rights during the country's 2013 review. The Committee urged the Government to take steps to ensure that people with beliefs other than the religions recognized by the State party could fully enjoy all aspects of economic, social and cultural rights, without any discrimination (see E/C.12/IRN/CO/2, para. 6).

A. Right to education

1. Women

55. The Islamic Republic of Iran continues to make progress in literacy, especially female literacy (see figure IV).[33] The percentage of female students entering university has, however, decreased from 62 per cent in 2007-2008 to just 48.2 per cent in 2012-2013, following the institution in 2012 of gender-rationing policies. Those policies also resulted in the admission of more men than women in some fields of study between 2013 and 2014.[34] Although the Minister of Science, Research and Technology has said that the policies will not be implemented in 2014-2015, the Minister of Health and Medical Education has stated that medical schools will begin implementing them then.

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[31] Interviews with family members of three of the four prisoners submitted to the Special Rapporteur, March/June 2014. See also International Campaign for Human Rights in Iran, "Two Iranian-Arabs executed in secret", 16 June 2014. Available from www.iranhumanrights.org/2014/06/executions-iranian-arabs/. See also Human Rights and Democracy for Iran, "Memorial: Hadi Rashedi". Available from http://iranrights.org/memorial/story/71726/hadi-rashedi.

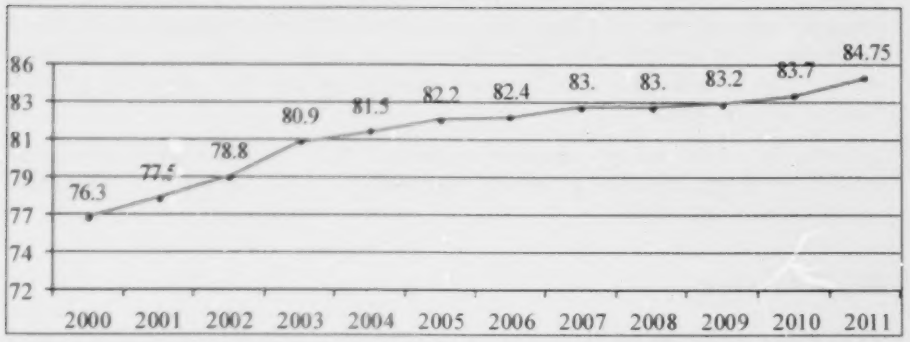
[32] Amnesty International, "Iran: mother of dead blogger attacked while mourning son at his graveside", 14 June 2012. Available from www.amnesty.org.uk/press-releases/iran-mother-dead-blogger-attacked-while-mourning-son-his-graveside.

[33] See www.amar.org.ir/Default.aspx?tabid=493.

[34] It was reported that women were not accepted for 14 major subjects at universities following the 2013-2014 national entrance examination.

Figure IV
National literacy rate, 2000-2011

(Percentage)



2. Ethnic minorities

56. The impact of inadequate respect for linguistic rights in education has been reported previously (see A/67/369). Statements recently issued by government officials regarding plans to implement article 15 of the Constitution and proposals in the five-year development plan to advance language education in schools are encouraging, but the plans have not yet been implemented. Likewise, a parliamentarian has expressed concern over inadequate budgetary provisions for implementation.

3. Religious minorities

57. University regulations (the moral selection regulations for university entrance applicants) continue to officially grant admission only to Muslims or members of officially recognized minority religions (i.e. Christianity, Judaism and Zoroastrianism), resulting in as many as 1,000 Baha'i students being denied admission in a single year.[35] A prominent lawyer who represented a group of Baha'i students, Mohammad Olyaei Fard, described the ruling of the Supreme Administrative Court in 2009, explaining that education regulations issued by the Supreme Council of the Cultural Revolution barred Baha'is from enrolment. Baha'is who are not identified during the admission process are often expelled once their faith is discovered. According to the Baha'i International Community, at least two dozen Baha'is were expelled for that reason between 2011 and 2013.

58. More than a dozen Baha'is who recently left the country reported that they had been denied admission to university or expelled before graduation on account of their religion. Several Baha'i students, or their parents, also reported that education officials did not grant them or their children admission to specialized middle schools, high schools and schools for gifted students on account of their faith.

59. The only recommendation by the Working Group on the Universal Periodic Review relating to education that was not accepted by the Government encouraged it to provide for urgent instructions to all schools to respect freedom of religion or belief and to take specific measures to reprimand any teacher or school administrator

[35] "Iranian Baha'is face continuing discrimination in higher education", Baha'i World News Service, 28 February 2007. Available from http://news.bahai.org/story/507.

who intimidated Baha'i children (see A/HRC/14/12). Several accounts relate that middle and secondary school teachers and administrators continue to harass Baha'i students or attack their faith in classrooms. Individuals reported that classroom teachers often referred to their faith and its members as sexually promiscuous, unclean, immoral, part of a foreign plot or atheistic. Some students who defended themselves or their faith were allegedly expelled. Christian converts and members of the Yarsan faith have also reported being expelled after university officials learned of their faith.[36]

60. In its reply, the Government explained that Baha'is were granted full citizenship rights, including university education, provided that they did not partake in "missionary activities".

B. Right to work

61. The authorities have imprisoned at least 27 labour rights activists, a number of whom reportedly require urgent medical attention, including Sharokh Zamani, Reza Shahabi, Moahmmad Jarrahi, Hassan Tafah, Rasool Bodaghi, Karim Marouf Aziz, Arjang Davoodi and Mashallah Haeri. Mr. Zamani, a trade unionist, a member of the Committee to Pursue the Establishment of Labour Unions and the co-founder of the Painters' and Decorators' Union, was arrested in June 2011. He was sentenced to 11 years in prison upon being convicted of "acting against national security by establishing or membership of groups opposed to the system" and "spreading propaganda against the system". In November 2011, an appeal court upheld his sentence. On 11 March 2014, he was transferred to Ghezel Hesar prison, reportedly as a punishment for his activism. He then began a hunger strike to protest against the conditions and the ill-treatment of prisoners, demanding his return to Rajaee Shahr prison.

1. Adequate wages

62. Section 41 of the Labour Code (1990) mandates annual adjustments to the national minimum wage in accordance with the rate of inflation and the cost of living for a family of four. The Government approved an increase of 25 per cent in March 2014. Concern that the increase failed to match the country's annual inflation rate of around 35 per cent was communicated by labour rights activists. Some 40,000 workers signed a letter to the Minister of Labour and Social Affairs calling for an appropriate increase, eventually leading in part to nationwide protests in observance of International Workers' Day.[37] The Government, in its reply, noted that the increase did not account for increased auxiliary benefits recently approved for working families.

2. Safe and healthy working conditions

63. In April 2014, the Deputy Labour Minister for International Affairs reported that the incidence of deadly workplace accidents remained high and was on the rise. He also reported that 1,517 workers had been killed in work-related accidents over

[36] According to interviews conducted and submitted to the Special Rapporteur (June 2014).

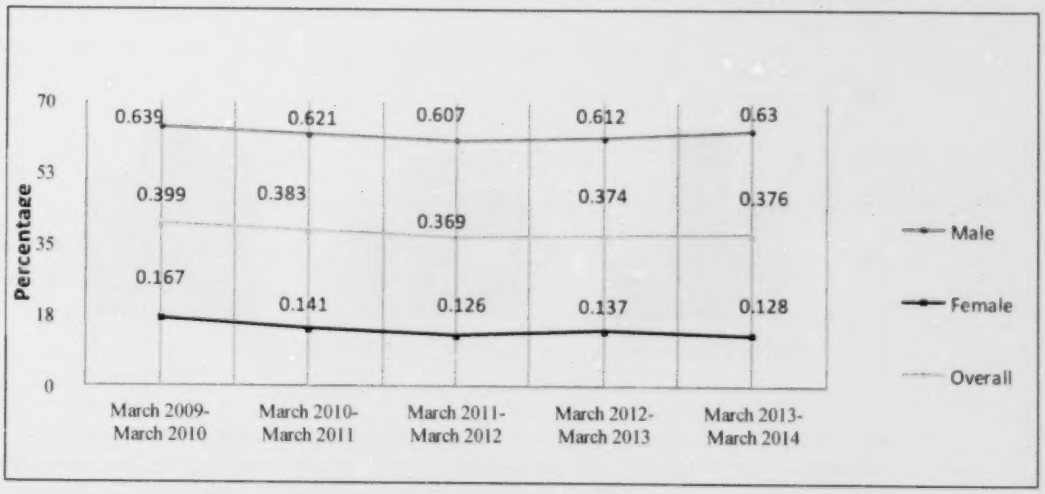
[37] International Campaign for Human Rights in Iran, "Labor activists remain in prison for May Day gathering", 7 May 2014. Available from www.iranhumanrights.org/2014/05/labor-day/.

the previous 10 months, an increase of about 14 per cent from the previous year. He noted that more than 47 per cent of work-related accidents occurred at construction sites, up 5 per cent from five years earlier, underscoring figures previously released in 2012 by the Coroner's Office indicating that falls from high places and strikes by hard or blunt objects accounted for most work-related deaths. It is also estimated that 13 million individuals lack workers' compensation insurance for employment-related accidents. The Government said in its response that all workplace-related information should come from the Deputy Labour Minister for International Affairs.

3. Gender participation and income disparities

64. No improvement in the level of participation of women in the workforce has been observed (see figure V). The Islamic Republic of Iran continues to have one of the lowest rates of female representation in the labour market globally,[38] with women constituting only 16 per cent of the labour force.

Figure V
Labour market participation



65. The Statistical Centre of the Islamic Republic of Iran reported that the national unemployment rate in 2013-2014 for women (20.8 per cent) was significantly higher than for men of the same age (8.5 per cent) and that increases in female unemployment over the past four years had widened that gap by 97 per cent (see figure VI). Unemployment gaps between men and women are significantly greater for individuals with higher levels of education, rendering women with post-secondary degrees three times as likely to be unemployed as their male counterparts (see figure VII). The Government maintains that unemployment levels declined for the cited years for both men and women owing to economic developments and that that equates to an absence of discrimination against women.

[38] World Economic Forum, *The Global Gender Gap Report 2013* (Geneva, 2013). Available from www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf. The Islamic Republic of Iran ranks 130 of 136 countries assessed.

Figure VI
Unemployment by gender, 2009-2014
(Percentage)

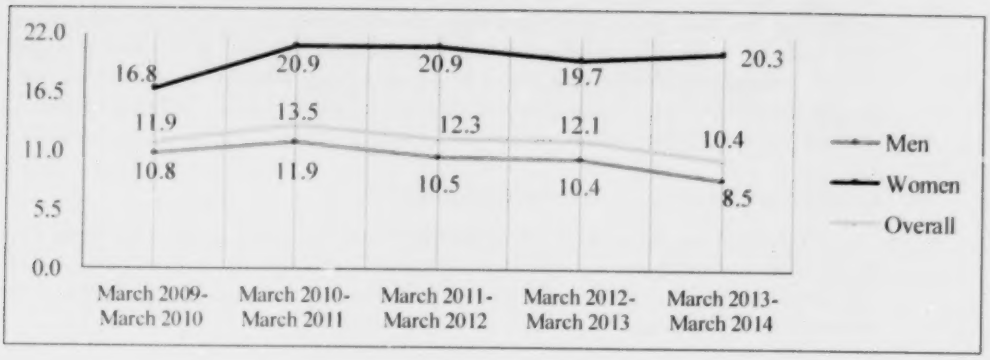
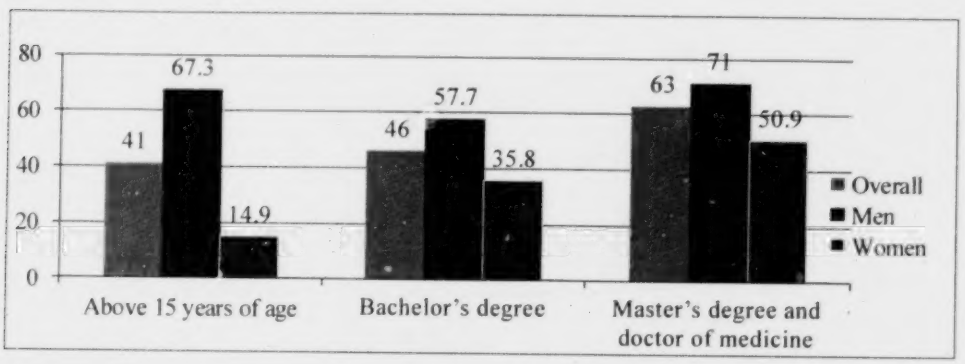


Figure VII
Economic participation for levels of education by gender
(Percentage)



66. Women from some ethnic minority backgrounds also appear to experience a disproportionately higher rate of unemployment. In the Provinces of Kermanshah and Lorestan, which are inhabited primarily by Iranians of Kurdish and Lur descent, unemployment rates were 24.2 per cent and 27.2 per cent, respectively.

67. Participation rates of women in paid work are low, with Iranian women estimated to earn the lowest average incomes in Asia and the Pacific. Men earn 4.8 times more than women, making the income gap between Iranian men and women one of the highest in the world.

68. The Administration has granted 3 of 11 deputy vice-presidential posts to women, corresponding to the portfolios of legal affairs, women's affairs and environmental affairs. Moreover, some high-level posts in Sistan va Baluchestan Province are now filled by women, including two city governors and the deputy of the provincial Office of Development, Management and Human Resources. Regardless, female representation in senior decision-making positions remains low.

69. There are no female ministers in the Administration. Overall, women occupy 17 per cent of jobs categorized as lawmakers, high-level officials and managers.

They occupy only 3 per cent of the seats in the parliament and 9.7 per cent of the seats on the Tehran city council. No woman has ever been appointed to the Guardian Council or the Expediency Discernment Council and only one has served as a minister. Moreover, a government statement at the fifty-seventh session of the Commission on the Status of Women on 5 March 2013 notwithstanding,[39] women appear to be permitted to serve only as female advisory judges and issue advisory opinions in family courts.

70. The draft comprehensive population and family excellence plan, currently before the parliament, would further undermine the participation of women in the workforce. It introduces a hierarchy of hiring practices by both public and private institutions, stating that in all governmental and non-governmental sectors employment is to be assigned first to men with children, then to married men without children and only then to women with children. The draft seemingly excludes unmarried women from the selection process. It also prohibits single individuals from being employed in faculty positions in higher education, research institutions and teaching positions at various levels if there are qualified married applicants.

4. Religious and ethnic minorities

71. In its 2010 concluding observations, the Committee on the Elimination of Racial Discrimination expressed concern over reports that the application of the *gozinesh* criterion, a selection procedure requiring prospective State officials and employees to demonstrate allegiance to the Islamic Republic of Iran and the State religion, might limit employment opportunities and political participation for, among others, persons of Arab, Azeri, Balochi, Jewish, Armenian and Kurdish communities (CERD/C/IRN/CO/18-19, para. 16).

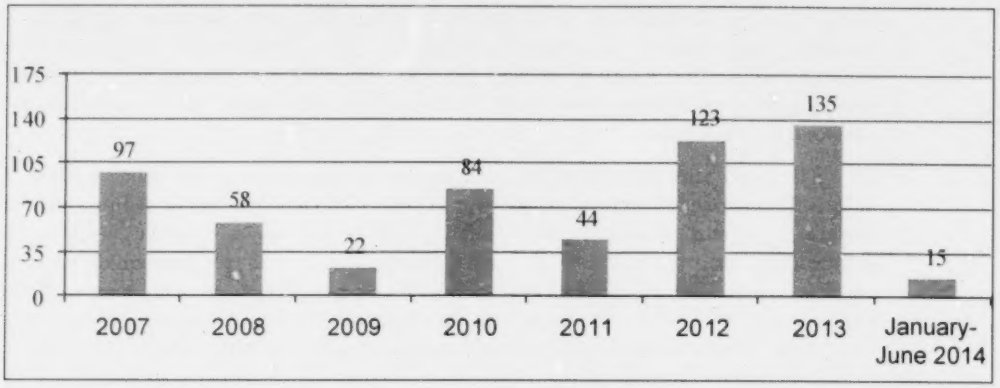
72. Furthermore, individuals seeking to work in a technical or professional field require a licence from guilds or professional associations under the supervision of the Ministry of Intelligence and National Security or relevant State ministries. Business licences must also be obtained from the local government and the Public Places Supervision Office (*amaken*), which is a security apparatus. Applicants are frequently required to identify their religion. Reports continue to indicate that the licensing authorities regularly deny licences to applicants from unrecognized faiths.

73. In recent years, the authorities have reportedly been involved in the systematic closure of Baha'i businesses, including many that had previously obtained licences. Sources record at least 578 cases where the right to work of Baha'is was infringed by the authorities, and in a few cases by private businesses, between 2007 and June 2014 (see figure VIII).

74. The cases include at least 291 in which businesses were either seized or closed, 42 in which a business application was denied or not renewed and 49 in which Baha'is were either dismissed on account of their faith or whose employers were pressured by the authorities to dismiss them. The Baha'i community also reported numerous cases of arson that appeared to be aimed at intimidating business owners or employees. The Government maintains that the information above is undocumented and incorrect.

[39] See www.un.org/womenwatch/daw/csw/csw57/generaldiscussion/memberstates/iran.pdf.

Figure VIII
Recorded violations of the right to work of Baha'is, 2007-2014



75. Recognized religious minorities are not immune from violations of the right to work. Since 2005, at least 37 Gonabadi Dervishes have reportedly been fired or denied State employment or professional licences on account of their religious affiliation. In one case, the authorities dismissed Ali Moazzami Fard from his job at the Imam Khomeini Relief Committee for the Province of Semnan for holding religious gatherings at his house.

76. Human rights groups have also reported that Christian converts, identified by their Muslim last names, have been denied licences or dismissed from their jobs after converting to or speaking about Christianity to co-workers.[40] One Christian convert reported being unable to renew a business licence owing to an arrest for house-church activities.

77. Only one of five border bazaars is active in the Sistan area, although all were active before a security wall was reportedly erected to prevent traffickers, foreign nationals and drugs from entering and leaving the country. The local authorities have reportedly sought to recreate employment opportunities by removing some of the obstacles, which has re-established commercial activities to some extent. Furthermore, between 70,000 and 80,000 people whose employment depends on the Hamoun wetlands are currently facing unemployment owing to extreme drought.

C. Right to join trade unions

78. Article 26 of the Constitution permits the establishment of craft associations provided that no violation is involved of the principles of national unity, Islamic standards and the "foundations" of the Islamic republic. The Labour Code permits the formation of Islamic guilds only with approval from the Ministry of Labour and Social Affairs.[41]

[40] International Campaign for Human Rights in Iran, "The cost of faith: persecution of Christian Protestants and converts in Iran" (2013). Available from www.iranhumanrights.org/wp-content/uploads/Christians_report_Final_for-web.pdf.

[41] Mostafa Seraji and Kamal Halili Hassan, "Freedom of association for trade union purposes in Iran and the ILO standards: a legal analysis (part 1)", *International Business Management*,

79. The dependence of Islamic guilds on government approval for their formation is likely to undermine the independence of unions, which contradicts the right to freedom of association as stipulated in the International Covenant on Civil and Political Rights. Moreover, reports indicate that many guilds are not independent and often cooperate with security branches of the Government in the registration and *gozinesh* processes. Restrictions on the right of workers to organize guilds further minimize opportunities to tackle the aforementioned workplace safety and fair wage issues.

80. In its response, the Government noted that the number of provincial labour trade and local employee unions had increased. It also noted that 115 permits for new guilds and renewed licences for 280 others had been issued between 2009 and 2013. Lastly, it highlighted the explicit permission in the fifth development plan for workers to protest and noted that hundreds of protests were held each year by workers without permits. According to the Government, the aforementioned labour activists were arrested "on charges of crimes against national security and/or campaigning against the Islamic Republic system".

D. Right to health and its underlying determinations

1. Environment

81. The five-year development plan includes a call for the management of the country's delicate ecosystem, especially Lake Urmia, and includes measures to manage and reduce greenhouse gas and air pollution levels in line with international standards. Positive steps have been taken to identify solutions for the desiccation of Lake Urmia and the Hamoun wetlands in Sistan va Baluchestan Province and to tackle greenhouse gas emissions and air pollution.

82. For example, a joint invitation for an international round table was extended by the Department of the Environment and the United Nations Development Programme in March 2014. The participants reviewed what were termed the "serious social, economic and health" implications of the phenomena for the ecosystem and its inhabitants, including a number of globally threatened species. In the joint report, the Government's commitment to saving Lake Urmia was recognized, but it was also indicated that "real action is lagging".[42]

83. On 20 April 2014, officials reported that 93 per cent of Lake Urmia had dried up, doubling standard salinity levels and resulting in an increase in cancer and respiratory diseases. Local officials have maintained that, if the necessary measures are not taken by October 2014, the southern part of the lake will disappear, which could force up to 5 million people to migrate from the area. Figure IX shows the decreasing surface area of the lake.

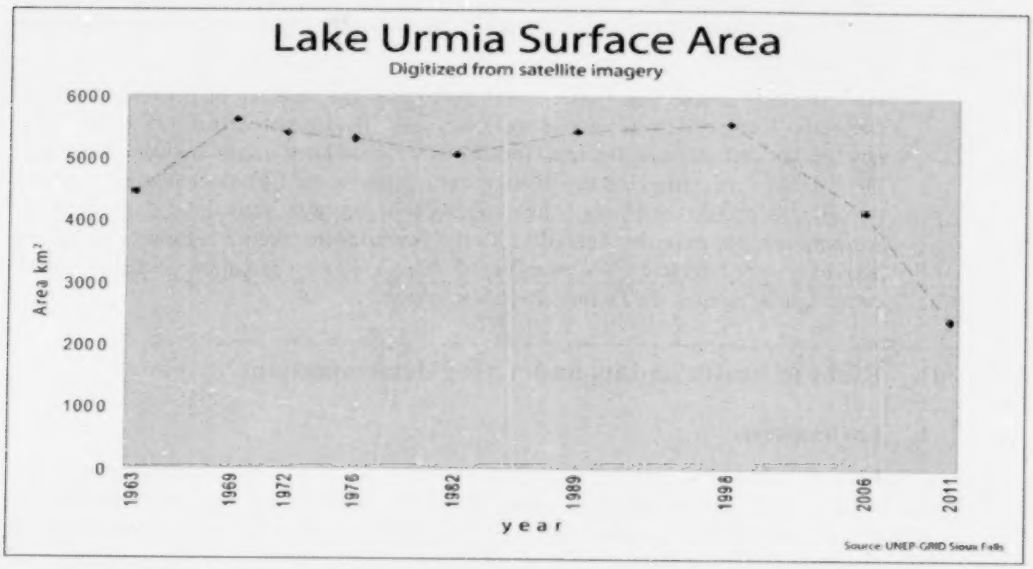
84. According to the United Nations Resident Coordinator in the Islamic Republic of Iran, 600,000 people have migrated from areas surrounding the lake and wetlands and the people remaining in the area are living in conditions of increasing poverty. The number of sandstorms and dust storms has almost doubled from 120 to

vol. 6, No. 1 (2012).

[42] See www.ir.undp.org/content/dam/iran/docs/Publications/E%26SD/WIRT%20Conclusions%20and%20Recommendations.pdf.

220 days each year. The desiccation of the Hamoun wetlands has also led to an increase in tuberculosis in the city of Zabol, while the desiccation of Lake Urmia has had a major impact on the socioeconomic situation of inhabitants who depend on its water, in particular for agriculture.

Figure IX



Source: http://na.unep.net/geas/getUNEPPageWithArticleIDScript.php?article_id=79.

85. In January 2014, officials reported that the Supreme Council of Water had designated the branches of the Karoun river to be used only for potable water and announced that all projects on the river would be suspended in order to revive it in Khuzestan Province.

86. According to the World Health Organization, the country possesses 4 of the 10 cities with the highest air pollution levels in the world, ranking it eighth in air pollution levels globally. Ahvaz, in Khuzestan Province, is the world's most polluted city. The other three cities on the list are Sanandaj, Kermanshah and Yasuj.[43] A member of the Environment Commission of the parliament has said that more than 4,000 people in Tehran lose their lives every year owing to air pollution.

87. The Government has reportedly adopted an executive plan to reduce air pollution and is drafting a clear air bill. Officials have stated that their goal is to end the domestic production of relatively dirty fuel noted to have carcinogenic effects. Production had been triggered in part by import limitations following international sanctions. The authorities hope to replace it with higher-quality imported fuel. Officials have stated that, as from 23 August 2014, all newly produced cars will meet Euro 4 standards and use less fuel than those meeting Euro 2 standards. This will reduce the production of sulphur and benzene, which are reported to be the most significant air pollution factors leading to death and incurable diseases. In April

[43] World Health Organization, "7 million deaths annually linked to air pollution". Available from www.who.int/phe/health_topics/outdoorair/databases/en/index.html.

2014, the Government also adopted an act mandating the Ministry of Health and Medical Education to review all available information and data on the contribution of air pollution to death and disease and to submit a report in March 2015.

2. Reproductive health

88. According to general comment No. 14 of the Committee on Economic, Social and Cultural Rights, to reduce the stillbirth rate and infant mortality and ensure the healthy development of the child, there is a need for measures to improve child and maternal health, sexual and reproductive health services, including access to family planning, prenatal and postnatal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information.

89. A plan for increasing child-bearing and preventing a decrease in population growth, currently before the parliament, challenges the country's ability to advance the relevant accepted recommendation of the Working Group on the Universal Periodic Review. It prohibits all acts of abortion or sterilization (e.g. vasectomy or tubal ligation), with the exception of situations threatening the health of the mother or the foetus, and propagation of decreasing childbearing. Persons engaging in such activity will be prosecuted in line with the Islamic Penal Code and face between two and five years in prison.

IV. Economic sanctions

90. As reported in the *Financial Times* on 26 December 2013, the medical sector and, to a lesser extent, the food sector are experiencing difficulties in importing and paying for goods as a result of the general climate created by economic sanctions, with some firms having had their payments frozen by Western regulators.

91. Government data indicate that the country experienced shortages ranging from 78 to 172 drugs (both domestically produced and imported) every month between mid-2012 and September 2013, allegedly caused in part by difficulties in facilitating payments for imports. An official of the Ministry of Health and Medical Education stated that medication worth an estimated 150 million euros scheduled for purchase was being held in the European Union owing to the lack of a credible channel for payment. Sanctions have, moreover, allegedly resulted in an influx of substandard or counterfeit medicines.[44]

92. Some delays and medical shortages are reportedly due to government mismanagement.[45] In September 2013, the Minister of Health and Medical Education, Hassan Qazizadeh Hashemi, reportedly complained that the former Administration had reallocated $20 billion in subsidized currency earmarked for the health sector to a housing project.[46] He also stated that the spike in the cost of medicine was partly due to government mismanagement, but claimed that sanctions

[44] Seyed Hosseini, "Impact of sanctions on procurement of medicine and medical devices in Iran; a technical response", *Archives of Iranian Medicine*, vol. 16, No. 12 (December 2013).

[45] See www.youtube.com/watch?v=LVqVh_L6KSc.

[46] F. Karimov, "Iranian health minister: President Ahmadinejad spent $20 billion health budget on Mehr housing project", 6 September 2013. Available from http://en.trend.az/regions/iran/2186947.html.

had also undermined imports of medicine.[47] The Ministry has taken some positive steps to respond to the shortages, including subsidizing purchases and establishing national monitoring systems to share information about shortages.

93. Macro trade data show that both medicine and medical equipment exports from the European Union and sales of medical equipment by the United States of America to the country reportedly continue to rise in value on the whole (see figures X and XI). United States sales of medicines generally decreased when the financial sector sanctions were expanded in 2010, however. The value of food sales from the European Union and the United States also dipped slightly around 2010, but has since increased (see figure XII). Those trends indicate that some firms continue to trade in humanitarian goods with the Islamic Republic of Iran, but not whether sanctions have affected supplies of rare advanced medications, as some studies claim.

Figure X
United States medical exports, 2003-2013

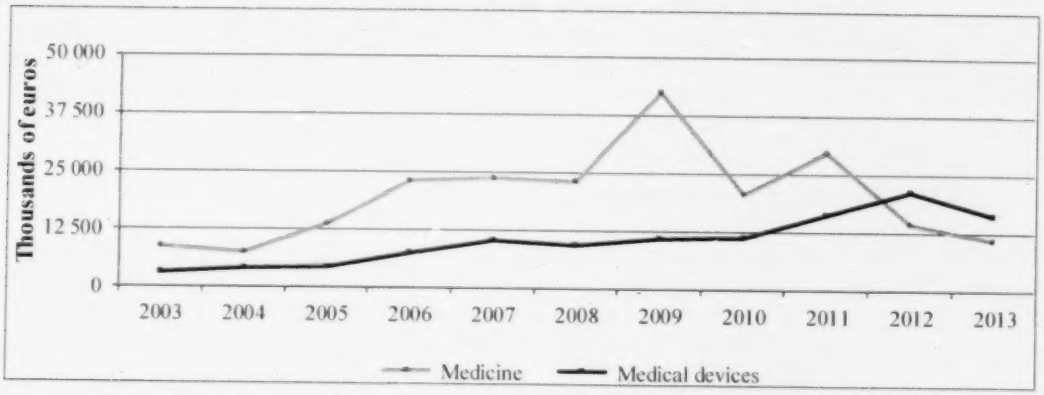
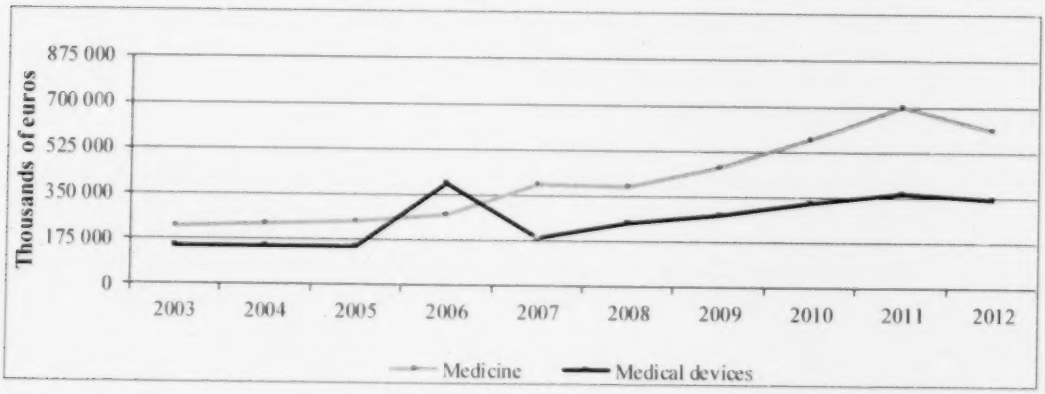


Figure XI
European Union medical exports, 2003-2012

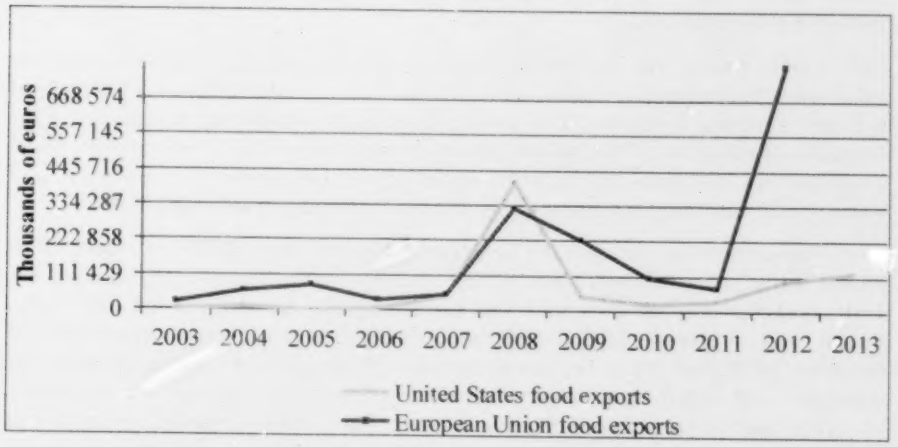


[47] Press TV, "West lies about medical sanctions: Iran health minister", 2 May 2014. Available from www.presstv.com/detail/2014/05/02/360982/iran-minister-slams-western-lies/.

94. According to information submitted to the Special Rapporteur, a number of studies also identify perceptions that international financial transactions with the country entail high and/or unacceptable levels of business risk as a significant deterrent for humanitarian trade, the exceptions contained in the various sanctions regimes notwithstanding. They generally conclude that trade impediments primarily create shortages for highly advanced medications that are subject to patents.

95. It is also consistently reported that the sanctions regimes are difficult to understand and to navigate for potential commercial buyers and sellers. Recent moves by the Government of the United States in connection with the Islamic Republic of Iran (e.g. issuing general licences for food and medicine, expanding the list of eligible medical supplies, issuing guidance regarding permissible activities by non-United States persons and stating that it will identify a dedicated financial channel for humanitarian trade) suggest a possible recognition of the complexity of sanctions and a potential attempt to confirm and clarify permitted activities relating to humanitarian trade. To date, there has been no additional detail publicized regarding the proposed financial channel for humanitarian trade.

Figure XII
United States and European Union food exports, 2003-2012



96. Nevertheless, there appear to be signs of improvement in the country's economic situation since negotiations with the P5+1 countries (China, France, Germany, Russian Federation, United Kingdom and United States) led to limited sanctions relief in February 2014. A study conducted for the Expediency Discernment Council concluded that, from March 2011 to 2013, economic losses resulting from sanctions totalled $250 billion and that losses sustained between March 2013 and March 2014 ranged from $160 billion to $200 billion.

97. The International Monetary Fund has conducted its first assessment of the country since international sanctions reportedly first began to constrict investment and exports. It estimated that the country's economy would grow by 1 to 2 per cent

in 2014, after contracting by roughly the same rate for the past two years.[48] While the country's inflation rate remains above 25 per cent, it has shown signs of recovery from 45 per cent in 2013. Nevertheless, according to the *Financial Times* on 25 October 2013, consumer prices reportedly continue to place a strain on households.

V. Conclusions and recommendations

98. **The Special Rapporteur reiterates his view that the Islamic Republic of Iran possesses the basic tools necessary to address a wide range of recurrent human rights concerns raised by the international community. Such concerns include, but are not limited to, the five United Nations human rights conventions that comprise the country's international obligations. Progress on the 123 recommendations made by States during the first consideration of the country by the Working Group on the Universal Periodic Review, in 2010, has been slow.**

99. **The rise in executions for crimes that do not meet the threshold of "most serious crimes", reports about the pervasive use of torture and the continuing arbitrary arrests, detention and prosecutions of individuals for exercising their fundamental rights severely contravene the Government's international and national commitments.**

100. **Furthermore, the uneven application of national laws and an apparent reluctance to investigate claims of rights violations both undermine the rule of law and cultivate a culture of impunity. Iranian laws continue to contradict the freedom of religion of recognized and unrecognized religious minorities, while communities continue to report arrests and prosecution for worship and participation in religious community affairs, including in private homes.**

101. **Similarly, concerns persist in terms of social and economic rights, first raised during the consideration of the country by the Working Group on the Universal Periodic Review and the review by the Committee on Economic, Social and Cultural Rights. Further legislative and policy developments between 2010 and 2014 represent additional obstacles to the realization of economic and social rights. They include laws that may increase the incidence of early marriage, university policies that discriminate against women and legislative proposals that ostensibly exclude more than 4 million unmarried women between 19 and 54 years of age from participating in the workforce. Other laws appear to eliminate access to reproductive health services, including vasectomy and tubal ligation, for all Iranians.**

102. **The Special Rapporteur reiterates the call upon the Government to incorporate the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights into national law, to establish an independent national human rights institution, as it pledged when the country was first considered by the Working**

[48] Ian Talley, "Iran's economy improving amid nuclear talks", *Wall Street Journal*, 12 February 2014. Available from http://online.wsj.com/news/articles/SB10001424052702303704304579378871594319850. See also Joy Gordon, "The human costs of the Iran sanctions", 18 October 2013. Available from http://mideastafrica.foreignpolicy.com/posts/2013/10/18/the_human_costs_of_the_iran_sanctions.

Group on the Universal Periodic Review, and to end all forms of discrimination in law and practice that undermine the full enjoyment of rights guaranteed by those two covenants, regardless of gender, ethnicity, religion, belief or opinion.

103. The Government should consider extending the de facto moratorium on stoning. The continued failure of the judiciary to guarantee due process rights, the frequent application of the death penalty for crimes that do not meet the internationally permissible threshold for capital punishment and the imposition of the death penalty on juvenile offenders warrant an immediate and unconditional halt to such practices.

104. The Special Rapporteur also echoes the call of the Human Rights Committee to ensure the independence of the judiciary and to investigate all allegations of torture and mistreatment of detainees.

105. He further repeats his call for substantive engagement and cooperation between the Government and the United Nations human rights mechanisms, including compliance with the findings of the Working Group on Arbitrary Detention, which has identified a number of cases of arbitrary detention. He appeals for the unconditional release of all those detained for the peaceful exercise of their rights to freedom of expression, assembly and association, conscience and political opinion, in particular journalists, human rights defenders, adherents of recognized and unrecognized religions and the leaders of the Baha'i faith.

106. The Government should take immediate steps to address the increasing incidence of early and forced child marriage, in particular by banning child marriage and raising the minimum age for marriage to 18 years, as specified in a number of laws identified in the country's submission to the Committee on the Rights of the Child. He further appeals for efforts to define and criminalize domestic violence and to expand the definition of rape to encompass marital rape to be expedited. He asserts, however, that, while domestic violence is an egregious act, it does not constitute a lethal action required for the application of capital punishment under international law.

107. The Special Rapporteur is also deeply concerned about the impact of deteriorating environmental conditions, including the imminent destruction of Lake Urmia and the Hamoun wetlands on the human rights of individuals in surrounding communities. He calls upon the Government to take immediate and effective steps to stop and reverse the desiccation of Lake Urmia and upon the international community to support the conservation efforts further.

108. Likewise, while modest improvements in terms of the humanitarian impact of economic sanctions have been observed, there are reports of continuing negative effects that may result from banking sanctions. Until financial institutions develop a level of comfort with permissible activities relating to humanitarian trade, the risk/benefit analysis will often lead institutions to decline to support transactions involving the Islamic Republic of Iran, even though such transactions are permissible under the sanctions regimes. The proposed dedicated financial channel that may emerge as a result of the continuing P5+1 negotiations could remove some of the perceived risk for financial institutions regarding their involvement in humanitarian trade. If understood and used, this may lead to increased humanitarian trade. Until such

a time, however, transactions relating to humanitarian trade may remain commercially unappealing and potential buyers and sellers may not be able to find financial institutions and other third parties to support them. The Special Rapporteur joins the Secretary-General in calling upon the international community to continue to take effective steps to alleviate the humanitarian impact of economic sanctions.